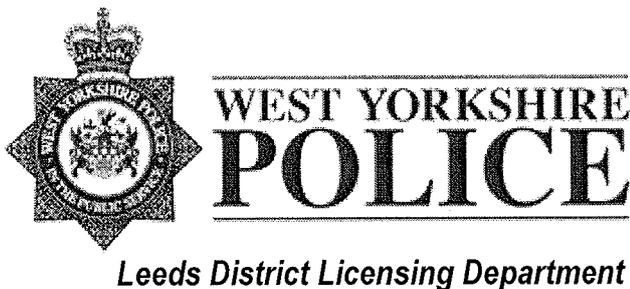


NOT PROTECTIVELY MARKED



Leeds District Licensing Department
Leeds District HQ
Elland Road
Leeds
LS11 8BU

T: 0113 – 385 9413
E: bob.patterson@westyorkshire.pnn.police.uk
W: www.westyorkshire.police.uk

23rd August 2018



cc. Entertainment Licensing Section. Leeds City Council, Civic Hall, Leeds. LS1 1UR

RE: **GROCERY STORE PREMISES @ 223 DEWSBURY ROAD LEEDS LS11 5HZ.
NEW PREMISES LICENCE – LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for a premises licence at the above address, which we received on 27th July 2018.

West Yorkshire Police are of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives.

We therefore confirm that we are submitting a formal representation against your application on the grounds of:-

1. the prevention of crime & disorder
2. the prevention of public nuisance, and
3. the protection of children from harm.

However, West Yorkshire Police are also of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule, in **addition** to what you may have offered in your application.

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in agreement with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible. Upon receipt of your consent at **Part 2**, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

Alternatively should you disagree with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible.

PART 1 - to be completed by the Responsible Authority:

West Yorkshire Police propose the following control measures under the Licensing Act 2003 (in addition or as alternative wording to those that you may have already offered), for the premises-:

GROCERY STORE PREMISES @
223 DEWSBURY ROAD
LEEDS
LS11 5HZ.

and for the following reasons-:

This application is for premises which will fall within the areas of Leeds covered by Leeds City Council's "Local Licensing Guidance" for South Leeds, which is easily accessible on their website.

This guidance document is based on certain licensable activities, and then the effect of these on the licensing objectives, which are fundamental to Licensing Act 2003.

The document specifically highlights as a real concern, premises with the authority to sell alcohol for consumption off the premises, when such activities are then linked to violent and domestic crime, drunkenness and general anti-social behaviour, in this area of Leeds.

There are already a high concentration of premises in this area, authorised for the same licensable activities as are being applied for here, but, with the exception of only one premises in the same vicinity, none are authorised for twenty four-hour sales.

The concerns highlighted in the 'South Leeds Guidance' are still relevant today, and it therefore continues to be a legitimate document for the licensing authority and responsible authorities to refer to, when dealing with applications and their effects on the licensing objectives, particularly where applications are for similar premises highlighted as being a major source of the problems in this area, as is the case here.

From an applicant's point of view, the 'South Leeds Guidance' should place an additional onus on the applicant to consider the effects of an application in this area of Leeds, over and above making the same application in other areas not experiencing the same problems.

The 'South Leeds Guidance' provides a 'Proforma Risk Assessment' for applicants to include in the operating schedule of their application.

This risk assessment was not included with this application received by the police on this occasion, nor, I am led to believe, with the application made to all others required to be served – (although I do believe the Guidance with the risk assessment has since been forwarded to the applicant by the licensing authority).

With respect, it is the opinion of West Yorkshire Police that the applicant in this case, has given very little consideration to this guidance, if at all, before making this application.

In addition, the application for twenty-four hour sales throughout the week further accentuates this point.

Having now considered this application on the points raised above, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives-:

- the prevention of crime & disorder
- the prevention of public nuisance

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

- the protection of children from harm.

The final measure requested by the police in this instance, has been openly accepted by shop owners on a number of occasions before as a condition, predominantly with applications for twenty-four hour sales, and including where premises are situated in other areas of Leeds, but which have similar "Local Licensing Guidance" to that in South Leeds.

The measure / condition is clearly to promote the licensing objectives anyway, but especially in areas such as South Leeds, and further, there are no reports so far, that the condition has failed to achieve its aim, nor that the business premises it applies to, have been curtailed in any way anywhere in Leeds.

In these circumstances and with this application in this area, West Yorkshire Police do not think it unreasonable to request this as a condition again on this occasion – (also to be covered by CCTV).

Measures / Additional measures proposed:

- 1) - ALL the measures offered by the applicant on page 12 & 13 of the PREM 1 at Section M, but particularly those under the 'prevention of crime and disorder' and the 'protection of children from harm' banners.**
- 2) - ALL the measures contained within the 'Risk Assessment Proforma' of Leeds City Council's "Local Licensing Guidance" for South Leeds, specifically:-**
 - All areas of the premises to be used for the display of alcohol are marked on the plan. The display of alcohol will not change without the consent of the licensing authority by way of a minor variation application to the licence.
 - The display of alcohol will be in a designated area of the premises which is capable of being supervised from the counter area.
 - The display of spirits shall be in an area accessible only by staff.
 - The display of high-strength beers, ciders and lagers of 7.5% alcohol by volume (ABV) or higher will be in an area accessible only by staff.
 - There will be no sale of cider and lager of 7.5% alcohol by volume (ABV) in 1, 2 or 3 litre plastic bottles.
 - All areas where alcohol is displayed shall be covered by CCTV.
- 3) – Finally, two additional measure to read as follows-**
 - From 0000 until 0700 every day, the general store will be closed to the public for the sale of all goods, which must then only take place through a serving hatch / window counter, including the sale / supply of alcohol.
 - The serving hatch / window counter will also be covered by the premises CCTV system, whenever it is being used.

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures within the Operating Schedule for the said premises.

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

Bob Patterson
Leeds District Licensing Officer
West Yorkshire Police

Date: 23rd August 2018

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

PART 2 – to be completed by the applicant or applicant’s representative:

Consent for all proposed control measures under the Licensing Act 2003.

Name & Address of Premises:
**GROCERY STORE PREMISES @
223 DEWSBURY ROAD
LEEDS
LS11 5HZ.**

I Ahmad Ibrahim

confirm that I am the applicant for the premises as stated above.

In signing this document-:

- I agree with the measures proposed by West Yorkshire Police,
- I provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises, and furthermore,
- I confirm the premises will then operate in accordance with those measures agreed to.

Signed: *A.Ibrahim*

Dated: 23/08/18

NOT PROTECTIVELY MARKED